

11-26-03

Application No.: 09/507166 *IFW 16571*
box 874

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):



1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
7. Other: _____

Applicant Must Provide:

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Marshall D. Snavely

Serial No.: 09/507,166

Group Art Unit No.: 1653

Filed: February 18, 2000

Examiner: Anish Gupta

For: Enhanced Solubility of Recombinant Proteins

Docket No.: A-496A

Response to Office Communication

Mail Stop Sequence
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This letter is in response to the Office Communication along with the Notice to Comply, mailed October 31, 2003, for the subject patent application. In the Communication, the Examiner asserted that Applicant had not complied with 37 CFR 1.821-1825.

In response, Applicant asserts that he has in fact previously complied with the above-mentioned rules, however, in the interest of advancing prosecution, enclosed herewith is an Attorney Statement under 37 CFR 1.821(e) together with both a paper copy and a computer readable form for the sequence list.

The Examiner is invited to call the undersigned should he require further information.

Respectfully submitted,

Nancy A. Oleski
Attorney/Agent for Applicant(s)
Registration No.: 34,688
Phone: (805) 447-6504
Date: November 24, 2003

Please send all future correspondence to:

US Patent Operations/NAO
Dept. 4300, M/S 27-4-A
AMGEN INC.
One Amgen Center Drive
Thousand Oaks, California 91320-1799

EXPRESS MAIL CERTIFICATE

Express Mail mail labeling number:

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Date of Deposit:

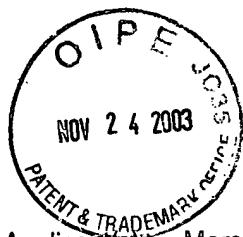
November 24, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Lynne Buchsbaum

Printed Name

Signature



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Marshall D. Snavely

Serial No.: 09/507,166

Filed: February 18, 2000

For: Enhanced Solubility of Recombinant Proteins

Docket No.: A-496A

ATTORNEY'S STATEMENT PURSUANT TO 37 CFR § 1.821(e)

Mail Stop Sequence
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

The computer readable form in this application, Serial No. 09/507,166, is identical with that filed in Application Serial No. 08/997,918, filed December 24, 1997, now Patent No. 6,077,689, issued June 20, 2000.

At the Examiner's request, and per the Office communication dated October 31, 2003, we are providing a duplicate copy (both a computer readable and paper copy) of the sequence list in this case.

It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for the instant application.

In addition, I hereby state that the paper copy of the Sequence Listing in this application and the computer readable form of the Sequence Listing submitted in the parent case are the same and contains no new matter.

Respectfully submitted,

Nancy A. Oleski
 Attorney/Agent for Applicant(s)
 Registration No.: 34,688
 Phone: (805) 447-6504
 Date: November 24, 2003

Please send all future correspondence to:
 US Patent Operations/NAO
 Dept. 4300, M/S 27-4-A
 AMGEN INC.
 One Amgen Center Drive
 Thousand Oaks, California 91320-1799

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the date appearing below.

Date

Signature